

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

TESSA KING,)
)
)
Plaintiff,)
)
v.) Case No. 3:24-cv-324
)
)
CANDI BULLOCK,) Judge Travis R. McDonough
SOUTHERN HEALTH PARTNERS,)
DUSTY LANGLEY,) Magistrate Judge Debra C. Poplin
RODNEY CATHEY,)
LOUDON COUNTY SHERIFF'S)
DEPARTMENT, and)
JIMMY DAVIS,)
)
Defendants.)
)

MEMORANDUM AND ORDER

Plaintiff Tessa King filed a pro se complaint under 42 U.S.C. § 1983 concerning events that transpired while she was a prisoner at the Loudon County Detention Facility (Doc. 1). That complaint was dismissed after Plaintiff failed to comply with an order that she either remit the filing fee or submit the documents required to support her motion to proceed *in forma pauperis* (Docs. 11, 12). Now before the Court is Plaintiff's letter, which the Court construes as a motion, seeking to set aside that dismissal pursuant to Rule 60(b)(1) of the Federal Rules of Civil Procedure (Doc. 13).

Plaintiff states that she never received any correspondence from the Court and maintains that the Clerk's Office mailed all correspondence to an incorrect address. (*Id.*) Upon review of the record, the Court notes that Plaintiff listed her address as "519 ½ West First Avenue, Lenoir

City, TN 37771” in her complaint, but the Clerk’s Office failed to list the “½” in recording Plaintiff’s address of record. (*Id.*; *see also*, generally, docket.) Therefore, all the Court’s correspondence was mailed to Plaintiff’s neighbor at 519 West First Avenue, and, according to Plaintiff, she only learned that her case was dismissed when her neighbor gave her the mail mistakenly sent to the neighbor’s address. (*Id.*)

In consideration of the above, the Court finds that reopening this case serves the interests of justice, because Plaintiff cannot be faulted for the Court’s failure to properly record her address. Therefore, the Court **GRANTS** Petitioner’s motion (Doc. 13) and **VACATES** its September 9, 2024, Memorandum Opinion (Doc. 11) and Judgment Order (Doc. 12).

The Court **DIRECTS** the Clerk to: (1) reopen this case and place it on the active docket; (2) update Plaintiff’s address of record to **519 ½ West First Avenue, Lenoir City, TN 37771**; (3) designate Plaintiff’s motion to proceed *in forma pauperis* as a pending motion (Doc. 2) and (4) forward Plaintiff the “Application to Proceed In Forma Pauperis with Supporting Documentation” applicable to non-prisoner actions, along with a copy of the Court’s Order requiring her to submit that form (Doc. 6). Plaintiff is **ORDERED** to complete the form and return it to the Court within thirty (30) days of entry of this Order. Plaintiff is **NOTIFIED** that failure to comply with this Order will result in the dismissal of this action.

Plaintiff is **NOTIFIED** that the Court **WILL NOT** consider any amendments and/or supplements to the complaint or any other kind of motion for relief until after the Court has screened the complaint pursuant to the Prison Reform Litigation Act, *see, e.g.*, 28 U.S.C. §§ 1915(e)(2)(B) and 1915A, which the Court will do as soon as practicable. Accordingly, the Court will automatically deny any requests to amend or supplement the complaint and/or motions filed before the Court has completed this screening.

Finally, Plaintiff is **ORDERED** to immediately inform the Court and Defendants or their counsel of record of any address changes in writing. Pursuant to Local Rule 83.13, it is the duty of a pro se party to promptly notify the Clerk and the other parties to the proceedings of any change in her address, to monitor the progress of the case, and to prosecute or defend the action diligently. E.D. Tenn. L.R. 83.13. Failure to provide a correct address to this Court within fourteen (14) days of any change in address may result in the dismissal of this action.

SO ORDERED.

/s/ *Travis R. McDonough*

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**